

106TH CONGRESS
1ST SESSION

H. R. 754

To establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1999

Mr. TRAFICANT introduced the following bill; which was referred to the Committee on Commerce

A BILL

To establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Made in America In-
5 formation Act”.

6 **SEC. 2. ESTABLISHMENT OF TOLL FREE NUMBER PILOT**
7 **PROGRAM.**

8 (a) ESTABLISHMENT.—If the Federal Trade Com-
9 mission determines, on the basis of comments submitted
10 in rulemaking under section 3, that—

1 (1) interest among manufacturers is sufficient
2 to warrant the establishment of a 3-year toll free
3 number pilot program, and

4 (2) manufacturers will provide fees under sec-
5 tion 3(c) so that the program will operate without
6 cost to the Federal Government,
7 the Commission shall establish such program solely to help
8 inform consumers whether a product is “Made in Amer-
9 ica”. The Commission shall publish the toll-free number
10 by notice in the Federal Register.

11 (b) CONTRACT.—The Federal Trade Commission
12 shall enter into a contract for—

13 (1) the establishment and operation of the toll
14 free number pilot program provided for in subsection
15 (a), and

16 (2) the registration of products pursuant to
17 regulations issued under section 3,
18 which shall be funded entirely from fees collected under
19 section 3(c).

20 (c) USE.—The toll free number shall be used solely
21 to inform consumers as to whether products are registered
22 under section 3 as “Made in America”. Consumers shall
23 also be informed that registration of a product does not
24 mean—

1 (1) that the product is endorsed or approved by
2 the Government,

3 (2) that the Federal Trade Commission has
4 conducted any investigation to confirm that the
5 product is a product which meets the definition of
6 “Made in America” in section 5, or

7 (3) that the product contains 100 percent
8 United States content.

9 **SEC. 3. REGISTRATION.**

10 (a) PROPOSED REGULATION.—The Federal Trade
11 Commission shall propose a regulation—

12 (1) to establish a procedure under which the
13 manufacturer of a product may voluntarily register
14 such product as complying with the definition of
15 “Made in America” in section 5 and have such prod-
16 uct included in the information available through the
17 toll free number established under section 2(a);

18 (2) to establish, assess, and collect a fee to
19 cover all the costs (including start-up costs) of reg-
20 istering products and including registered products
21 in information provided under the toll-free number;

22 (3) for the establishment under section 2(a) of
23 the toll-free number pilot program; and

24 (4) to solicit views from the private sector con-
25 cerning the level of interest of manufacturers in reg-

1 istering products under the terms and conditions of
2 paragraph (1).

3 (b) PROMULGATION.—If the Federal Trade Commis-
4 sion determines based on the comments on the regulation
5 proposed under subsection (a) that the toll-free number
6 pilot program and the registration of products is war-
7 ranted, the Commission shall promulgate such regulation.

8 (c) REGISTRATION FEE.—

9 (1) IN GENERAL.—Manufacturers of products
10 included in information provided under section 2
11 shall be subject to a fee imposed by the Federal
12 Trade Commission to pay the cost of registering
13 products and including them in information provided
14 under subsection (a).

15 (2) AMOUNT.—The amount of fees imposed
16 under paragraph (1) shall—

17 (A) in the case of a manufacturer, not be
18 greater than the cost of registering the manu-
19 facturer's product and providing product infor-
20 mation directly attributable to such manufac-
21 turer, and

22 (B) in the case of the total amount of fees,
23 not be greater than the total amount appro-
24 priated to the Federal Trade Commission for
25 salaries and expenses directly attributable to

1 registration of manufacturers and having prod-
2 ucts included in the information provided under
3 section 2(a).

4 (3) CREDITING AND AVAILABILITY OF FEES.—

5 (A) IN GENERAL.—Fees collected for a fis-
6 cal year pursuant to paragraph (1) shall be
7 credited to the appropriation account for sala-
8 ries and expenses of the Federal Trade Com-
9 mission and shall be available in accordance
10 with appropriation Acts until expended without
11 fiscal year limitation.

12 (B) COLLECTIONS AND APPROPRIATION
13 ACTS.—The fees imposed under paragraph
14 (1)—

15 (i) shall be collected in each fiscal
16 year in an amount equal to the amount
17 specified in appropriation Acts for such fis-
18 cal year, and

19 (ii) shall only be collected and avail-
20 able for the costs described in paragraph
21 (2).

22 **SEC. 4. PENALTY.**

23 Any manufacturer of a product who knowingly reg-
24 isters a product under section 3 which is not “Made in
25 America”—

1 (1) shall be subject to a civil penalty of not
2 more than \$7500 which the Federal Trade Commis-
3 sion may assess and collect, and

4 (2) shall not offer such product for purchase by
5 the Federal Government.

6 **SEC. 5. DEFINITION.**

7 For purposes of this Act:

8 (1) The term “Made in America” has the
9 meaning given unqualified “Made in U.S.A.” or
10 “Made in America” claims for purposes of laws ad-
11 ministered by the Federal Trade Commission.

12 (2) The term “product” means a product with
13 a retail value of at least \$250.

14 **SEC. 6. RULE OF CONSTRUCTION.**

15 Nothing in this Act or in any regulation promulgated
16 under section 3 shall be construed to alter, amend, modify,
17 or otherwise affect in any way, the Federal Trade Com-
18 mission Act or the opinions, decisions, rules, or any guid-
19 ance issued by the Federal Trade Commission regarding
20 the use of unqualified “Made in U.S.A.” or “Made in
21 America” claims in labels on products introduced, deliv-
22 ered for introduction, sold, advertised, or offered for sale
23 in commerce.

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